



1745

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application

Inventors: Atsushi UEDA et al. Art Unit: 1745
Application No.: 09/863,463 Examiner: T. Dove
Filed: May 24, 2001
For: NON-AQUEOUS ELECTROLYTE BATTERY AND NON-AQUEOUS ELECTROLYTE
CERTIFICATION UNDER 37 CFR §1.97(e)(1)

Assistant Commissioner of Patents
Washington, DC 20231

Dear Sir:

In fulfillment of 37 CFR 1.97(c)(1) and 1.97(e)(1), it is hereby certified that each item of information contained in the attached Information Disclosure Statement was first cited in any communication (see the attached copy of a Chinese Office Action dated November 14, 2003) from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

Respectfully submitted,

James E. Ledbetter
Registration No. 28,732

Date: January 5, 2004

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INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner of Patents
Washington, DC 20231

Dear Sir:

Pursuant to Rules 56 and 99, Applicants hereby call the attention of the Patent Office to the art listed on the attached Form PTO 1449. JP '757 was cited in a Chinese Office Action dated November 14, 2003 (English translation attached).

Applicants present this art so that the Patent Office may, in the first instance, determine any relevancy thereof to the presently claimed invention, see Beckman Instruments, Inc. v. Chemtronics, Inc., 439 F.2d 1369, 1380, 165 USPQ 355, 364 (5th Cir. 1970). Also see Patent Office Rules 104 and 106. Applicants respectfully request that this art be expressly considered during the prosecution of this application and made of record herein and appear among the "References Cited" on any patent to issue herefrom.

Respectfully submitted,

James E. Ledbetter
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FORM PTO-1449 U.S. Department of Commerce
(Rev. 4/92) Patent and Trademark Office

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SERIAL NO.

09/863,463

APPLICANT

Atsushi UEDA, et al.

FILING DATE

May 24, 2001

GROUP

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U.S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

[illegible]

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation is considered, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.